

# Wetlands Bureau Decision Report

Decisions Taken  
10/15/2012 to 10/21/2012

*Review by  
WSE 10/22/12*

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

**MAJOR IMPACT PROJECT**

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**2012-00452                      NH DEPT OF TRANSPORTATION**  
**HARTS LOCATION   Sawyer River**

**Requested Action:**

Request amendment to allow and additional 14,207 sq. ft. of temporary impact.

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**Conservation Commission/Staff Comments:**

Cons. Comm. - no comments

Rivers Comm. - no comments

Inspection Date: 10/25/2011 by Gino E Infascelli

**APPROVE AMENDMENT:**

Replace the temporary bridge impacting 34,123 sq. ft. (19,354 sq. ft. temporary) of riverine wetland. NHDOT project #16396A

**With Conditions:**

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design:
  - a. Dated 22-FEB-2012, as received by the Department on Feb. 29, 2012 and
  - b. Amended plans received Oct 11, 2012.
2. Stamped engineering plans are to be submitted to the file as required per rule Env-Wt 404.04(a) and shall only include plan sheets specifically addressing the information required per Env-Wt 404.04 (b).
3. Condition #2 shall be fully complied with prior to the scheduling of the pre-construction meeting required per condition #4.
4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site, at the NHDES Office in Concord, N.H. or NHDOT Office in Concord, N.H. to review the conditions of this wetlands permit.
5. It shall be the responsibility of the permittee to schedule and coordinate the pre-construction meeting providing at least 5-day notice to the NHDES Wetlands Bureau and / or other Land Resources Management Program staff, and the meeting shall be attended by the permittee, the contract administrator(s), wetlands scientist(s), erosion control monitor, and the contractor(s) responsible for performing the work.
6. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
7. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
8. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
9. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
10. Temporary cofferdams shall be entirely removed immediately following construction.
11. Construction equipment shall not be located within surface waters.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
13. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
14. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
15. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be

stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.

16. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

17. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.

18. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

19. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

20. All activity shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B.

21. There shall be no in stream work between Sept. 1 and Oct. 15 and if possible until April 1.

**With Findings:**

1. This is a major impact project per Administrative Rule Wt 303.02(i), projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.

2. At the pre-construction meeting held on Sept. 26, 2012 in accordance with permit condition #4, it was determined that additional areas of temporary impacts were necessary to construct a clean water by pass through the construction site in a safe manner.

**2012-01868**

**COLBY HILL OWNERS ASSOC**

**SPRINGFIELD Little Lake Sunapee**

**Requested Action:**

Replenish a 2,800 sq. ft. beach with no more than 50 cubic yards of sand and replenish a 2,700 sq. ft. beach with no more than 18 cubic yards of sand on 375 ft. of frontage along Little Lake Sunapee, in Springfield.

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**Conservation Commission/Staff Comments:**

Con Com did not submit comments by Aug 15, 2012

**APPROVE PERMIT:**

Replenish a 2,800 sq. ft. beach with no more than 50 cubic yards of sand and replenish a 2,700 sq. ft. beach with no more than 18 cubic yards of sand on 375 ft. of frontage along Little Lake Sunapee, in Springfield.

**With Conditions:**

1. All work shall be in accordance with plans as received by the NH Department of Environmental Services (DES) on July 13, 2012.
2. No more than 68 cu. yd. of sand may be used to replenish the combined area of the beaches and all sand shall be located above the normal high water line.
3. This permit shall be used only once, and does not allow for annual beach replenishment.
4. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
5. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

**With Findings:**

1. This is a major impact project per Administrative Rule Env-Wt 303.02(o), replenishment of a beach that does not meet the criteria for minimum or minor impact beach replenishment.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas

and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

5. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of Little Lake Sunapee, as identified under RSA 482-A:1.

**2012-02511                      MCCAULEY, CHRISTIAN**  
**LACONIA   Lake Winnepesaukee**

**Requested Action:**

Construct two 6 ft. x 35 ft. piling piers connected by a 4 ft. x 12 ft. walkway in a "U" configuration with a 16 ft. x 35 ft. canopy over the center slip to the southeast of an existing 2 slip dug-in boathouse on an average of 377 feet of frontage along Lake Winnepesaukee, in Laconia.

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**Conservation Commission/Staff Comments:**

no comments from Con Com by Oct 17, 2012

**APPROVE PERMIT:**

Construct two 6 ft. x 35 ft. piling piers connected by a 4 ft. x 12 ft. walkway in a "U" configuration with a 16 ft. x 35 ft. canopy over the center slip to the southeast of an existing 2 slip dug-in boathouse on an average of 377 feet of frontage along Lake Winnepesaukee, in Laconia.

**With Conditions:**

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated August 28, 2012, as received by the Department on September 17, 2012.
2. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
4. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
5. Repairs shall maintain existing size, location and configuration.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. This permit does not allow for maintenance dredging.
8. The dock shall not extend more than 35 ft lakeward at full lake elevation of 504.32.
9. The minimum clear spacing between piles shall be 12 feet.
10. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

**With Findings:**

1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction of docking facilities that will provide 5 boat slips.
2. The applicant has an average of 377 feet of frontage along Lake Winnepesaukee.
3. A maximum of 6 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facility will provide 5 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

5. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

-Send to Governor and Executive Council-

2012-02549

KEENE, CITY OF

KEENE

Requested Action:

Dredge and fill 8,350 square feet and temporarily impact 5,700 square feet of unnamed intermittent tributaries to Beaver Brook and associated wetlands to repair 1,630 linear feet of riprap bank, install grade control structures, replace twin 30-inch and 18-inch ADS culverts with an 11-foot x 3.2-foot box culvert at the main channel (STA 4+88) and a 24-inch RCP with a 42-inch RCP at the west channel (STA 9+58, Add Alternate). The project is required to repair damages sustained during the May 2012 storm.

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APPROVE PERMIT:

Dredge and fill 8,350 square feet and temporarily impact 5,700 square feet of unnamed intermittent tributaries to Beaver Brook and associated wetlands to repair 1,630 linear feet of riprap bank, install grade control structures, replace twin 30-inch and 18-inch ADS culverts with an 11-foot x 3.2-foot box culvert at the main channel (STA 4+88) and a 24-inch RCP with a 42-inch RCP at the west channel (STA 9+58, Add Alternate). The project is required to repair damages sustained during the May 2012 storm.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers dated SEPT. 2012, as received by the Department on September 20, 2012; and plans dated OCT. 2012, as received by the Department on October 15, 2012.
2. Extreme precautions shall be taken within stream bank and buffer areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
3. Materials used in the channel bottom must be natural stream substrate and shall not include angular riprap or gravel.
4. Work shall be done during low flow conditions.
5. This permit is contingent on receipt, by the DES Wetlands Bureau, of the final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
6. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the bank stabilization and stream restoration is constructed in accordance with the plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The DES Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. There shall be no excavation or operation of construction equipment in flowing water.
11. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
13. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
14. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
15. Temporary cofferdams shall be entirely removed immediately following construction.

16. Proper headwalls shall be constructed within seven days of culvert installation.
17. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
18. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
19. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
20. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
21. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
22. Stream restoration shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create a healthy riverine system that is replicated in a manner satisfactory to the DES Wetlands Bureau. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing stream sinuosity, changing the slope of the stream, and changing the hydrologic regime.
23. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
24. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i), Projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
2. The project is required to repair damages sustained during the May 29, 2012, storm event, during which the high discharges and velocities of the stream caused sections of Belvedere Road to be overtopped and completely eroded away.
3. Per Env-Wt 302.03(c)(2)(c), because the project involves only riprap or other bank stabilization to protect an existing City road, mitigation is not required.
4. The Natural Heritage Bureau report stated, "We currently have no recorded occurrence for sensitive species near this project area."
5. The engineering report notes that the channel location has not change; only widened in some locations.
6. The engineering report notes that the main channel Tier 2 stream crossing is sized to pass the 100-year storm without roadway overtopping.
7. Instream work is limited by the streams proximity to Belvedere Road and the width of the right-of-way that is estimated to end mid-channel or at the far bank of the main channel.
8. The plans show a base bid layout, and an Add Alternate layout. The base bid layout is the work being performed with FEMA funds. The Add Alternate layout is the additional work that the City may complete with their funding, if approved by the City Council.
9. In email correspondence dated October 15, 2012, the agent indicated it's likely the only portion of the Add Alternate plan the City will complete is installation of the 42-inch culvert in the west channel.
10. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
11. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
12. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
13. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

## MINOR IMPACT PROJECT

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**2012-00807                      ORENSTEIN, FRANCINE**  
**MEREDITH   Lake Winnepesaukee**

### Requested Action:

Impact 400 sq. ft. of bank to construct a 20 ft. 20 ft. perched beach, remove an existing seasonal 3 slip docking structure, install three 6 ft. x 40 ft. seasonal docks connected by two 6 ft. x 12 ft. seasonal walkways in a "W" shaped configuration, and impact 1,500 sq. ft. of forested wetlands for construction of a wildlife enhancement pond on property having an average of 246 ft. of frontage along Lake Winnepesaukee, in Meredith.

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### Conservation Commission/Staff Comments:

Con Com did not submit comments by June 14, 2012

### APPROVE PERMIT:

Impact 400 sq. ft. of bank to construct a 20 ft. 20 ft. perched beach, remove an existing seasonal 3 slip docking structure, install three 6 ft. x 40 ft. seasonal docks connected by two 6 ft. x 12 ft. seasonal walkways in a "W" shaped configuration, and impact 1,500 sq. ft. of forested wetlands for construction of a wildlife enhancement pond on property having an average of 246 ft. of frontage along Lake Winnepesaukee, in Meredith.

### With Conditions:

1. All work shall be in accordance with plans by Shuey Environmental as revised September 13, 2012, and received by the NH Department of Environmental Services (DES) on September 28, 2012 and email from Randall Shuey dated October 17, 2012.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. These shall be the only structures on this water frontage and all portions of the dockings structures shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. The seasonal piers shall be removed from the lake for the non-boating season.
5. No portion of the piers shall extend more than 40 feet from the shoreline at full lake elevation.
6. All dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
7. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
8. The steps installed for access to the water shall be located completely landward of the normal high water line.
9. No more than 8 cu. yd. of sand may be used and all sand shall be located above the normal high water line.
10. This permit shall be used only once, and does not allow for annual beach replenishment.
11. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
12. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
13. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
14. Work shall be done during low flow.
15. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur. A follow-up report shall be submitted to the Wetlands Bureau within 60 days of the completion of construction and after one full growing season.
16. The pond plantings shall have at least 75% successful establishment after one full growing season, or they shall be replanted and re-established in a manner satisfactory to the DES Wetlands Bureau.
17. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a dock that provides for 4 boatslips including previously existing slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 246 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 4 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 4 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
8. The proposed pond construction results in only 1,500 sq. ft. of forested wetland dredge and is to be conducted to create additional habitat diversity through the addition of a transitional shrub zone, shallow marsh and deep marsh.

**2012-01824                      ROUTE 106 REALTY TRUST**  
**BELMONT   Unnamed Wetland**

Requested Action:

Dredge and fill 17,414 sq. ft. of emergent wetlands (man-made lawn area) for redevelopment of an existing commercial property to construct a new car dealership, car wash, associated parking and utilities. Compensatory mitigation for wetland impacts consists of a onetime payment of \$61,006.79 dollars into the Aquatic Resource Mitigation Fund ("ARM").

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APPROVE PERMIT:

Dredge and fill 17,414 sq. ft. of emergent wetlands (man-made lawn area) for redevelopment of an existing commercial property to construct a new car dealership, car wash, associated parking and utilities. Compensatory mitigation for wetland impacts consists of a onetime payment of \$61,006.79 dollars into the Aquatic Resource Mitigation Fund ("ARM").

With Conditions:

1. All work shall be in accordance with plans by Rokeh Consulting, LLC dated August 2, 2012 as received by the NH Department of Environmental Services (DES) on September 25, 2012.
2. This permit is contingent on a onetime payment of \$61,006.79 dollars into the Aquatic Resource Mitigation Fund ("ARM").
3. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
4. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired



immediately.

13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

14. All refueling of equipment shall occur outside of surface waters or wetlands.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The impacts are to a man-made wetland area (lawn/grass) created from previous site activities.
6. DES has received comments from the United States Environmental Protection Agency ("USEPA") indicating the project is eligible for the New Hampshire State Programmatic General Permit ("SPGP").
7. The proposed compensatory mitigation for the wetlands impacts consists of a onetime payment into the Aquatic Resource Mitigation Fund ("ARM") of \$61,006.79 dollars.
8. The department has determined that the proposed compensatory mitigation complies with Administrative Rules Part Env-Wt 803.
9. DES has not received any comments in objection to the proposed project.

**2012-02075  
OSSIPPEE**

**NH ELECTRIC COOPERATIVE**

**Requested Action:**

Temporarily impact 18,605 square feet of wetlands to install swamp maps for construction access to remove old utility poles and wires and install new poles and conductors. Permanently impact 10 square feet of wetlands for installation of seven new utility poles, installation of two guy wire anchors, and relocation of one utility pole.

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**APPROVE PERMIT:**

Temporarily impact 18,605 square feet of wetlands to install swamp maps for construction access to remove old utility poles and wires and install new poles and conductors. Permanently impact 10 square feet of wetlands for installation of seven new utility poles, installation of two guy wire anchors, and relocation of one utility pole.

**With Conditions:**

1. All work shall be in accordance with revised plans by David M. Dolan Associates, P.C. dated 7/24/2012, as received by the NH Department of Environmental Services (DES) on 8/2/2012 and revised plan sheet 1 entitled "Site Plan Showing Utility Line Improvements off of N.H. Route 41, Tamworth & Iras Lane, Ossipee, Carroll County, NH, Prepared for New Hampshire Electric Cooperative, Inc." dated 9/10/12, as received by the DES on 9/13/2012.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. The permittee/contractor shall be aware of the restrictions within the buffer zone for archeological sensitivity.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or

wetlands.

8. Faulty equipment shall be repaired prior to entering jurisdictional areas.
9. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
10. All refueling of equipment shall occur outside of surface waters or wetlands.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving impacts of less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. Work will be performed under dry conditions with temporary impacts from swamp mats, and permanent impact is limited to footprint of new utility poles, installation of guy wire anchors, and relocation of one utility pole.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The Natural Heritage Bureau (NHB) has record of sensitive species within the area of the project but the NHB does not expect any impacts to these species.
5. The Ossipee Conservation Commission intervened on the application pursuant RSA 482-A. Pursuant to RSA 482-A:11(III)(a), DES did not receive a report from the Ossipee Conservation Commission.

**2012-02234 DAY, TINA**  
**UNITY Little Sugar River**

**Requested Action:**

Dredge and fill 1,060 square feet along 100 linear feet of bank for the placement of riprap.

\*\*\*\*\*

**APPROVE PERMIT:**

Dredge and fill 1,060 square feet along 100 linear feet of bank for the placement of riprap.

**With Conditions:**

1. All work shall be in accordance with plans by Beaver Tracks, LLC and Right Angle Engineering, PLLC dated August 3, 2012, as received by the Department on August 17, 2012.
2. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the stabilization areas are constructed in accordance with the plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
3. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
6. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
7. All work shall be done from the top of the bank.
8. Any dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. There shall be no excavation or operation of construction equipment in flowing water.
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.

11. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
12. All refueling of equipment shall occur outside of jurisdictional areas during construction.
13. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
14. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
15. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. Post-construction photographs documenting the status of the stabilized bank shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), alteration of less than 200 linear feet of a perennial river channel or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant has provided evidence that the bank is eroding and needs stabilization. Further, the applicant has provided evidence that this existing embankment failed during Tropical Storm Irene and needs to be re-built to protect the adjacent Unity Stage Road from the damaging floodwaters of the Little Sugar River.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant is providing the minimum amount of rip rap necessary to stabilize the bank.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau has no record of a rare wildlife, plant, and/or natural community present within the vicinity of the project area.
5. The repairs are needed to address damages resulting from Tropical Storm Irene and to protect the adjacent Unity Stage Road.

**MINIMUM IMPACT PROJECT**

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**2007-00326                      FARMINGTON COUNTRY CLUB, DAVID MOSHER**  
**FARMINGTON   Unnamed Pond Wetlands**

Requested Action:

Request permit time extension.

\*\*\*\*\*

APPROVE TIME EXTENSION:

Dredge a total of 9,935 sq. ft. of wetlands in two locations for pond construction as expansion of an existing pond; and maintenance dredge a total of 19,800 sq. ft. of two existing ponds including 2,900 sq. ft. in pond #1, and 16,900 sq. ft. in pond #2.

With Conditions:

1. All work shall be in accordance with revised plans by Norway Plains Associates Inc. dated 5/25/2007, as received by DES on 5/29/2007.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

**With Findings:**

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.
2. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

**2012-01402  
DERRY**

**ROUTE 28 CUSTOM LLC**

**Requested Action:**

Dredge and fill a total of 2,976 square feet of palustrine forested wetland in two (2) locations (801 square feet and 2,175 square feet) for access as part of a 3 phase commercial development on approximately 20.88 acres.

\*\*\*\*\*

**APPROVE PERMIT:**

Dredge and fill a total of 2,976 square feet of palustrine forested wetland in two (2) locations (801 square feet and 2,175 square feet) for access as part of a 3 phase commercial development on approximately 20.88 acres.

**With Conditions:**

1. All work shall be in accordance with plans by Civil Design Consultants, Inc. dated May 4, 2012 and revised through 9/12/12, as received by the NH Department of Environmental Services (DES) on October 15, 2012.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require approval by the Bureau.
3. DES Southeast Region (Portsmouth Office) staff shall be notified in writing prior to commencement of work and upon its completion.
4. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
5. Work shall be done during seasonal low flow conditions.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of 3,000 square feet of forested wetland.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.  
Bureau.
5. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
6. The Conservation Commission did not comment on the project.
7. In accordance with Env-Wt 304.04(a) the applicant received written concurrence from the abutter whose property line is within 20-feet of the impacts.

**2012-02260                      ANASTACY, BARBARA**  
**SANBORNTON   Winnisquam Lake**

**Requested Action:**

Amend permit to repair an additional 46 linear feet of retaining wall.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

Con Com did not sign Wetland Application

**APPROVE AMENDMENT:**

Impact 194 sq. ft. to repair 89 linear feet of existing retaining wall in the same configuration and location on Lake Winnisquam, Sanbornton.

**With Conditions:**

1. All work shall be in accordance with plans by Schuauer Environmental Consultants dated August 13, 2012, as received by the NH Department of Environmental Services (DES) on August 21, 2012 and amendment request plans received October 16, 2012.
2. Repair shall maintain existing size, location and configuration.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
5. Work shall be done during drawdown.
6. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair of existing retaining walls that is performed in the dry during drawdown.

**2012-02414                      JEAN A SMITH QUAL PRSNL RSDNC TR**  
**LYME   Unnamed Pond**

**Requested Action:**

Dredge a total 7,491 square feet of palustrine emergent wetland to include 7,034 square feet of permanent impact and 457 square feet of temporary impact for the construction of a fire pond for fire protection.

\*\*\*\*\*

**APPROVE PERMIT:**

Dredge a total 7,491 square feet of palustrine emergent wetland to include 7,034 square feet of permanent impact and 457 square feet of temporary impact for the construction of a fire pond for fire protection.

**With Conditions:**

1. All work shall be in accordance with plans by CLD Consulting Engineers, Inc. dated Aug 2012, as received by the NH Department of Environmental Services (DES) on September 6, 2012.
2. Work shall be conducted during (seasonal) low flow conditions.
3. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Machinery shall be staged and refueled in upland areas.
5. Dredged spoils shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Stockpiled dredged material shall be dewatered in upland areas to sedimentation basins lined with erosion and siltation controls to prevent water quality degradation. Dewatering areas must be located at least 20 feet away from jurisdictional areas.
7. Work shall not cause violations (sedimentation and turbidity) of surface water quality standards, in accordance with Env-Ws 1700.
8. Within three calendar days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1;1.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(p) Construction of a pond with less than 20,000 sq. ft. of wetlands impact.
2. The impacts are necessary to provide fire protection for the properties located on Lamphire Hill Lane as non exist presently; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Chief of the Lyme Fire Department submitted a letter of support for the construction of the pond.
6. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
7. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

**2012-02468                      LAPIA, KATHERINE/MICHAEL**  
**EXETER    Unnamed Wetland**

**Requested Action:**

Retain 160 square feet of impact to an existing poorly drained wetland ditch for the installation of a 30-inch by 80-foot HDPE culvert to convey stormwater flow from an existing ditch and provide a useable, safe area behind the residential dwelling.

\*\*\*\*\*

Inspection Date: 08/15/2012 by Eben M Lewis

**APPROVE AFTER THE FACT:**

Retain 160 square feet of impact to an existing poorly drained wetland ditch for the installation of a 30-inch by 80-foot HDPE culvert to convey stormwater flow from an existing ditch and provide a useable, safe area behind the residential dwelling.

**With Conditions:**

1. All work shall be in accordance with plans by Blaisdell Survey, LLC dated 8/09/12, as received by the NH Department of Environmental Services (DES) on September 14, 2012.
2. The approval is contingent upon the successful restoration of approximately 786 square feet of palustrine forested wetland as

outlined in the Restoration Plan Approval dated October 19, 2012 by DES.

3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. DES Southeast Region (Portsmouth Office) staff shall be notified in writing prior to commencement of work and upon its completion.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

**With Findings:**

1. On August 8, 2012, DES received a Land Resource Management Program Complaint Form alleging that a culvert had been installed within an existing ditch. On the same day, DES assigned the complaint file no. 2012-02140 and issued an Alleged Violator letter to the owner notifying them of the complaint DES received.
2. DES personnel inspected the property on August 15, 2012. During the inspection the following was noted: An area approximately 8,750 had been cleared of all vegetation, a culvert had been installed, the area had been graded flat, and a shed was located within jurisdictional wetlands.
3. On August 20, 2012, DES issued a 'Notice of Findings' (NOF). The NOF documented the aforementioned items noted during the inspection and requested the following actions: relocation of the shed, the submittal of an Wetlands Permit Application to retain the culvert, and a restoration plan to restoration unintentionally impacted wetlands.
4. DES received the requested after the fact application and restoration plan on September 14, 2012 (the "Application"). The application was assigned file no. 2012-02468. The former file has been closed and the information in file 2012-02140 has been combined with this file 2012-02468.
5. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of forested wetland.
6. The impacts are necessary to provide and useable, safe area for the family of this residential dwelling; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
9. In a letter submitted with the application, Bruce D. Scamman, P.E., Emanuel Engineering, Inc. states, in summary, "that a 30" pipe laid across your back yard will be sufficient to flow the water that formerly flowed through the swale behind your home."
10. In accordance with Env-Wt 303.04(a), the applicant received written concurrence from the abutter whose property is within 20-feet of the proposed impacts.
11. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
12. No comments were submitted from the Conservation Commission.

**2012-02567                      GENEST, LUANE/STEPHEN**  
**FREEDOM   Ossipee Lake**

**Requested Action:**

Replace approximately 55 linear feet of retaining wall "in kind" on Ossipee Lake, Freedom.

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**Conservation Commission/Staff Comments:**

Con Com did not sign Wetlands applicaiton

**APPROVE PERMIT:**

Replace approximately 55 linear feet of retaining wall "in kind" on Ossipee Lake, Freedom.

With Conditions:

1. All work shall be in accordance with plans by Belknap Landscape Co dated September 17, 2012, as received by the NH Department of Environmental Services (DES) on September 21, 2012.
2. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. Work shall be done during drawdown.
4. Repair shall maintain existing size, location and configuration.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

**FORESTRY NOTIFICATION**

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**2012-02523                      SMITH, ROBERT**  
**WOLFEBORO   Unnamed Stream Unnamed Wetland**

COMPLETE NOTIFICATION:  
Wolfefboro, Tax map 3, Lot #1, and Tax map 9, Lot #2.

**2012-02525                      READE, SANDRA**  
**WEARE   Unnamed Stream Unnamed Wetland**

COMPLETE NOTIFICATION:  
Weare, Tax map 404, Lots #136 & 172

**2012-02572                      TORRO, JOSEPH**  
**SUTTON   Unnamed Stream Unnamed Wetlands**

COMPLETE NOTIFICATION:  
Sutton, Tax Map 1, Lot #248-391, #174-386, & 141-370.

**2012-02715                      ARNOLD, JAMES**  
**NEW LONDON   Unnamed Stream Unnamed Wetland**

COMPLETE NOTIFICATION:  
New London, Tax Map 21, Lot #3



**2012-02759                      MCAFEE, ROBERT**  
**WOODSTOCK   Unnamed Stream Unnamed Wetland**

COMPLETE NOTIFICATION:  
Woodstock, Tax map 211, lot#2 and Tax map 113, Lot #1

**2012-02761                      CROWELL, KEVIN**  
**ROCHESTER   Unnamed Stream Unnamed Wetland**

COMPLETE NOTIFICATION:  
Rochester, Tax map 247, Lots #6 & 8

**2012-02764                      BAYROOT LLC - MOXIE TREE FARM, C/O WAGNER FOREST M**  
**DIX GRANT   Unnamed Stream Unnamed Wetland**

COMPLETE NOTIFICATION:  
Dix Grant, Tax map 1626, Lots # 32 & 10

**2012-02768                      BEAUDRY, HEATHER**  
**HILL   Unnamed Stream Unnamed Wetland**

COMPLETE NOTIFICATION:  
Hill, Tax map 3, Lots #44 & 45

**2012-02769                      RUGG, OLIVE**  
**NEWFIELDS   Unnamed Stream Unnamed Wetland**

COMPLETE NOTIFICATION:  
Newfields, Tax map 205, Lot #2

**2012-02770                      BENEDIX, CHARLES & LISA**  
**BARNSTEAD   Unnamed Stream Unnamed Wetland**

COMPLETE NOTIFICATION:  
Barnstead, Tax map 8, Lot #50

**2012-02771                      MANCHESTER WATER WORKS**  
**HOOKSETT   Unnamed Stream Unnamed Wetland**

COMPLETE NOTIFICATION:  
Hooksett, Tax map 21, Lot #11

**EXPEDITED MINIMUM**

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**2012-02515                      OSGOOD, MAYLAND**  
**UNITY   Spooner Pond**

**Requested Action:**

Dredge and fill 175 square feet of Spooner Pond Dam to repair two 10-foot sections at the inlet and outlet of the 15-inch CMP dam outlet.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

9/26/12 DHR form received and filed.

**APPROVE PERMIT:**

Dredge and fill 175 square feet of Spooner Pond Dam to repair two 10-foot sections at the inlet and outlet of the 15-inch CMP dam outlet.

**With Conditions:**

1. All work shall be in accordance with plans received by the Department on September 17, 2012.
2. Work shall be done under drawdown conditions and in the dry.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), Maintenance, repair, or replacement of a nondocking structure dam.
2. The work was requested by the DES Dam Bureau.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2012-02569                      AMADEO, LEONARD**  
**MERRIMACK**

**Requested Action:**

Impact approximately 25 square feet of forested wetland for the construction of a relief drainage swale to alleviate flooding to the surrounding area.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact approximately 25 square feet of forested wetland for the construction of a relief drainage swale to alleviate flooding to the surrounding area.

**With Conditions:**

1. All work shall be in accordance with 'Flooding control/Drainage Plan' by Meridian Land Services, Inc. dated August 3, 2012, as received by the NH Department of Environmental Services (DES) on September 21, 2012.
2. DES Southeast Region staff (Portsmouth Office) shall be notified in writing prior to commencement of work and upon its completion.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. Work shall be done during seasonal low flow conditions.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
9. No fill shall be done for lot development.
10. No fill shall take place in Atlantic white cedar swamps.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of forested wetland.
2. The impacts are necessary to alleviate on-going flooding issues; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The swale will be installed to maintain at least 6-inches of water until over-topping the inlet for the drainage swale; therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
6. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

**2012-02636                      GIAKOUMAKIS, MARIA**  
**WINDHAM   Cobbett's Pond**

**Requested Action:**

Replace an existing 3 ft. x 30 ft. seasonal dock with a 3 ft. x 30 ft. seasonal dock on 18 feet of frontage on Cobbett's Pond, Windham.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

Con Com signed Wetland Application

**APPROVE PERMIT:**

Replace an existing 3 ft. x 30 ft. seasonal dock with a 3 ft. x 30 ft. seasonal dock on 18 feet of frontage on Cobbett's Pond, Windham.

**With Conditions:**

1. All work shall be in accordance with plans as received by the NH Department of Environmental Services (DES) on September 28, 2012.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation.
6. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

**With Findings:**

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.
2. The proposal is to replace an existing grandfathered seasonal dock with a seasonal dock of the same dimensions.

**TRAILS NOTIFICATION**

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**2012-02700                      GREEN ACRE WOODLANDS INC**  
**CAMPTON   Unnamed Stream**

**COMPLETE NOTIFICATION:**  
Campton Tax Map 14 Lot# 1-2

**LAKES-SEASONAL DOCK NOTIF**

\*\*\*\*\*

**2012-02750                      DAROFF, ALAN & SUSAN**  
**DEERING   Deering Reservoir**

**COMPLETE NOTIFICATION:**  
Seasonal dock approved 6' x 30' maximum, on Deering Reservoir

**With Findings:**

DES notified on 10/15/20112 the old, non-conforming dock was removed.

**ROADWAY MAINTENANCE NOTIF**

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**2012-02765                      DOT MAINTENANCE DISTRICT 6, RALPH SANDERS**  
**NEWFIELDS   Unnamed Stream**

COMPLETE NOTIFICATION:  
Replace 15" CMP with 15" HDPE. Extend 10' on each side.

**2012-02766                      DOT MAINTENANCE, DISTRICT 3**  
**MOULTONBOROUGH   Unnamed Stream Unnamed Wetland**

COMPLETE NOTIFICATION:  
Replace 20' of 24" pipe.

**2012-02780                      DOT, DISTRICT 2**  
**CLAREMONT   Unnamed Stream Unnamed Wetland**

COMPLETE NOTIFICATION:  
Replace 30" x 40' culvert and rebuild headers.

**2012-02816                      DOT, DISTRICT 2**  
**SPRINGFIELD   Unnamed Stream Unnamed Wetlands**

COMPLETE NOTIFICATION:  
Replace 100' x 48" culvert and rebuild headers.

**2012-02817                      DOT, DISTRICT 2**  
**UNITY   Unnamed Stream Unnamed Wetland**

COMPLETE NOTIFICATION:  
Replace 40' x 24" pipe and rebuild headers.

**PERMIT BY NOTIFICATION**

\*\*\*\*\*

**2012-00039                      MOSES, MICHAEL/MARYANN**  
**HILL   Unnamed Stream**

Requested Action:  
Disqualify permit by notification to dredge and fill 138 square feet of intermittent stream to install a 15-inch x 36-foot CMP culvert

for driveway access.

\*\*\*\*\*

**PBN DISQUALIFIED:**

Disqualify permit by notification to dredge and fill 138 square feet of intermittent stream to install a 15-inch x 36-foot CMP culvert for driveway access.

**With Findings:**

1. A notice of incomplete permit by notification requesting additional information dated January 28, 2012, addressed to the applicant or agent of record, clearly required the applicant to submit additional information to DES within 20 days of the request.
2. DES did not receive the requested additional information within the 20 days; and therefore, the permit by notification has been disqualified.

**2012-02721                      HAYES FAMILY TRUST, FREDERICKA HAYES  
TUFTONBORO   Lake Winnepesaukee**

**Requested Action:**

Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

\*\*\*\*\*

**PBN IS COMPLETE:**

Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

**2012-02723                      POLIN, ANNE  
CENTER HARBOR   Squam Lake**

**Requested Action:**

Remove a 4 ft. x 20 ft. permanent crib dock and install a 6 ft. x 30 ft. seasonal docking structure on Squam Lake, Center Harbor.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

Con Com signed PBN form

**PBN DISQUALIFIED:**

Disqualify applicants request to remove a 4 ft. x 20 ft. permanent crib dock and install a 6 ft. x 30 ft. seasonal docking structure on Squam Lake, Center Harbor.

**With Findings:**

Removing an existing permanent docking structure and replacing it with a seasonal docking structure does not meet the project type in accordance with Env-Wt 506.01 for Permit by Notifications.

**2012-02752                      LAKESHORE BEACH ASSOCIATION, C/O PAUL DIONNE  
MEREDITH   Lake Winnepesaukee**

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**2012-02782**

**FISHER, CHARLES & CYNTHIA**

**TUFTONBORO Lake Winnepesaukee**

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**2012-02783**

**MALZ, ROBERT & LAURI**

**ENFIELD Mascoma Lake**

Requested Action:

Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

**2012-02794                      7 LEWANDO NOMINEE TRUST, SHEPARD,EDMUND & MARILYN  
WOLFEBORO   Lake Winnepesaukee**

Requested Action:

Maintenance, repair, or replacement of a nondocking structure.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Maintenance, repair, or replacement of a nondocking structure.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), Maintenance, repair, or replacement of a nondocking structure.

**2012-02795                      29 LAKE ST BAYSIDE DOCK ASSOC  
WOLFEBORO   Lake Winnepesaukee**

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**CSPA PERMIT**

\*\*\*\*\*

**2012-02388                      KING, CLIFFORD  
HOLDERNESS   Little Squam Lake**



Requested Action:

Amend permit for language reoval of septic system.

\*\*\*\*\*

APPROVE AMENDMENT:

Impact 3,804 sq ft in order to raze existing structure and rebuild a new larger structure further from the reference line.

With Conditions:

1. All work shall be in accordance with plans by Samyn-D'Elia Architects dated August 16, 2012 and received by the NH Department of Environmental Services (DES) on September 13, 2012.
2. No more than 7.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 2,615 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2012-02619

DINNEEN, MARTIN

FARMINGTON Baxter Lake

Requested Action:

Impact 576 sq ft in order to construct a 24ft. x 24ft. garage.

\*\*\*\*\*

APPROVE PERMIT:

Impact 576 sq ft in order to construct a 24ft. x 24ft. garage.

With Conditions:

1. All work shall be in accordance with plans by Martin Dinneen dated September 23, 2012 and received by the NH Department of Environmental Services (DES) on September 27, 2012.
2. No more than 18.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 3,105 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2012-02620                      MAV REALTY TRUST**  
**WEST LEBANON   Mascoma River**

Requested Action:

Impact 2,715 sq. ft. in order to add a 5 bay garage and modify a parking area to reduce impervious area.

\*\*\*\*\*

APPROVE PERMIT:

Impact 2,715 sq. ft. in order to add a 5 bay garage and modify a parking area to reduce impervious area.

With Conditions:

1. All work shall be in accordance with plans by Advanced Geomatics & Design dated September 7, 2012 and received by the NH Department of Environmental Services (DES) on September 27, 2012.
2. No more than 72.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2012-02621                      CAMP WALLULA INC**  
**NEW LONDON   Little Sunapee Lake**

Requested Action:

Impact 8,847 sq. ft. in order to replace a residential structure and install an approved septic system.

\*\*\*\*\*

APPROVE PERMIT:

Impact 8,847 sq. ft. in order to replace a residential structure and install an approved septic system.

With Conditions:

1. All work shall be in accordance with plans by Hinds Septic Design Services dated September 12, 2012 and received by the NH Department of Environmental Services (DES) on September 27, 2012.
2. No more than 22% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 4,802 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.

8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2012-02629 CUMMINGS, DEBORAH**  
**BRIDGEWATER Newfound Lake**

Requested Action:

Impact 4,637 sq. ft. in order to raze existing cottage and garage and replace with larger cottage and garage.

\*\*\*\*\*

APPROVE PERMIT:

Impact 4,637 sq. ft. in order to raze existing cottage and garage and replace with larger cottage and garage.

With Conditions:

1. All work shall be in accordance with plans by Central Land Surveying Inc. dated September 18, 2012 and received by the NH Department of Environmental Services (DES) on September 27, 2012.
2. No more than 28.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 2,222 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2012-02635 COMEFORD, JON**  
**FREEDOM Ossipee Lake**

Requested Action:

Impact 4,384 sq ft in order to construct a single family home with driveway, and install a septic system.

\*\*\*\*\*

APPROVE PERMIT:

Impact 4,384 sq ft in order to construct a single family home with driveway, and install a septic system.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey & Engineering, Inc. dated September 27, 2012 and received by the NH Department of Environmental Services (DES) on September 28, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 24.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2012-02637                      GRAFTON COUNTY ECONOMIC DEV COUNCIL**  
**PLYMOUTH   Pemigewasset River**

**Requested Action:**

Impact 5,182 sq. ft. in order to demo existing structure and rebuild a new structure with a reduction in size and further from the reference line, improve drainage, and install landscape in previously disturbed areas.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 5,182 sq. ft. in order to demo existing structure and rebuild a new structure with a reduction in size and further from the reference line, improve drainage, and install landscape in previously disturbed areas.

**With Conditions:**

1. All work shall be in accordance with plans by H.E. Bergeron Engineers, Inc. dated September 24, 2012 and received by the NH Department of Environmental Services (DES) on September 28, 2012.
2. No more than 85.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2012-02645                      MITCHELL, CLYDE/PATTY**  
**HOPKINTON   Clement Pond**

**Requested Action:**

Impact 5,576 sq ft in order to raze existing nonconforming cottage and rebuild a new more nearly conforming cottage, regrade driveway and add permeable pavers.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 5,576 sq ft in order to raze existing nonconforming cottage and rebuild a new more nearly conforming cottage, regrade driveway and add permeable pavers.

**With Conditions:**

1. All work shall be in accordance with plans by Polluck land planning LLC dated September 23, 2012 and received by the NH Department of Environmental Services (DES) on September 28, 2012.
2. No more than 23.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All work associated with the replacement in kind for the wooden dock must be above water. Any work within the water or its

banks of the wetlands jurisdiction shall require a wetlands permit, RSA 482-A.

4. At least 1,300 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

